

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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MANSOOR NAJEE-ULLAH,

Plaintiff,

-against-

NEW YORK CITY DEPARTMENT OF EDUCATION,

Defendant.

**NOTICE OF MOTION FOR  
SUMMARY JUDGMENT**

05 Civ. 6202 (GBD)(THK)

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**PLEASE TAKE NOTICE** that the upon the annexed Statement of Undisputed Facts pursuant to Rule 56.1 of the Local Civil Rules of this Court, dated December 29, 2006, the Declaration of Rippi Gill, dated December 29, 2006 and the exhibits annexed thereto, and Defendant's Memorandum of Law in Support of Its Motion for Summary Judgment, dated December 29, 2006, and upon all prior pleadings and proceedings had herein, defendant will move this Court before the Honorable George B. Daniels, United States District Judge, Southern District of New York, at the United States Courthouse, 500 Pearl Street, New York, New York, 10007, at a date and time to be designated by the Court, for an order, pursuant to Rule 56 of the Federal Rules of Civil Procedure, granting defendant complete summary judgment dismissing the Complaint in its entirety on the grounds that the complaint is barred in whole or in part by issue preclusion, there is no material fact requiring a trial and that as a matter of law, defendants are entitled to judgment on all of plaintiff's claims in this action, and for such other and further relief as the Court deems just, proper, and equitable.

**PLEASE TAKE FURTHER NOTICE** that pursuant to the Court's scheduling order dated November 14, 2006, opposition papers, if any, must be served on the undersigned on

or before January 18, 2007, and reply papers must be served by defendant on or before January 30, 2007.

Dated: New York, New York  
December 29, 2006

**MICHAEL A. CARDOZO**  
Corporation Counsel of the  
City of New York  
Attorney for Defendant  
100 Church Street, Room 2-144  
New York, New York 10007-2601  
(212) 788-0895

By:

A handwritten signature in black ink, appearing to read "Rippi Gill", written over a horizontal line.

Rippi Gill (RG 5338)  
Assistant Corporation Counsel

To: **CHINYERE OKORONKWO**  
Attorney for Plaintiff  
40 East 94<sup>th</sup> Street, Ste. 2K  
New York, NY 10128  
(212) 944-1320

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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MANSOOR NAJEE-ULLAH,

Plaintiff,

**DECLARATION OF  
SERVICE**

-against-

05 Civ. 6202 (GBD)(THK)

NEW YORK CITY DEPARTMENT OF EDUCATION,

Defendant.

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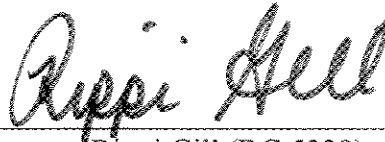
Rippi Gill declares, pursuant to 28 U.S.C. § 1746 and subject to the penalties of perjury, that on December 29, 2006, she caused true and correct copies of the annexed Notice Of Motion For Summary Judgment, Defendant's Local Rule 56.1 Statement Of Undisputed Facts, and the Declaration of Rippi Gill, dated December 29, 2006, to be served upon:

**CHINYERE OKORONKWO**

Attorney for Plaintiff  
40 East 94<sup>th</sup> Street, Ste. 2K  
New York, NY 10128

by depositing a copy of the same, enclosed in a first class postpaid properly addressed wrapper, in an official depository under the exclusive care and custody of the United States Postal Service, within the State of New York, directed to same at the above address.

Dated: New York, New York  
December 29, 2006



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Rippi Gill (RG 5338)  
Assistant Corporation Counsel

05 Civ. 6202 (GBD)(THK)

UNITED STATES DISTRICT COURT SOUTHERN DISTRICT OF NEW YORK	
MANSOOR NAJEE-ULLAH,	Plaintiff,
-against-	
NEW YORK CITY DEPARTMENT OF EDUCATION,	Defendant.
<b>DEFENDANT'S MOTION FOR SUMMARY JUDGMENT</b>	
<b>MICHAEL A. CARDOZO</b> <i>Corporation Counsel of the City of New York</i> Attorney for Defendant 100 Church Street, Room 2-144 New York, N.Y. 10007-2601  Of Counsel: Rippi Gill Tel: (212) 788-0895	
NYCLIS No. 05LE000262	
<i>Due and timely service is hereby admitted.</i>	
New York, N.Y. ...., 200	
.....	
Attorney for.....	